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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF WASHINGTON
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13 AMANDA BANTA, SHARP
14 SHOOTING INDOOR RANGE &
15 GUN SHOP, INC., THE RANGE, LLC,
16 AERO PRECISION LLC, and
17 NATIONAL SHOOTING SPORTS
18 FOUNDATION, INC.,
19

20 Plaintiff,
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22 v.
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24 ROBERT W. FERGUSON, Attorney
25 General of the State of Washington, and
26 JOHN R. BATISTE, Chief of the
Washington State Patrol,
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28 Defendant.
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No. 2:23-cv-00112-MKD

DECLARATION OF AUSTIN
HARLAN ON BEHALF OF THE
RANGE, LLC

CERTIFICATE OF SERVICE

I hereby certify that on (Date), I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice.

DATED at Seattle, Washington on 4th day of May, 2023.

s/ Megan Johnston

Megan Johnston, Legal Assistant

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DECLARATION OF AUSTIN HARLAN

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Declaration of Austin Harlan on behalf of The Range LLC

I, Austin Harlan, hereby declare as follows.

1. I am over the age of 18 years, and I am qualified to submit this declaration on behalf of The Range LLC.

2. I am the sole owner of The Range LLC, a retail firearms business located in Yakima, Washington. I opened the store approximately 9 years ago and have owned and operated it ever since.

3. I have personal knowledge of the facts set forth in this declaration through direct involvement and by personally reviewing The Range LLC's records and information.

4. The Range LLC is a member of the National Shooting Sports Foundation.

5. The Range LLC is authorized by law to sell firearms as a Federal Firearms Licensee (FFL 07 & SOT 02) licensed by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

6. Over the past two years (2021 and 2022), The Range LLC purchased from firearms distributors and manufacturers approximately \$8,770,000 worth of firearms, magazines, and related merchandise. Of that amount, approximately \$2,630,000, or 30%, was attributable to firearms that Washington now deems "assault weapons" and accessories for the same.

7. Over the past two years (2021 and 2022), approximately 32% of The Range LLC's gross revenue was attributable to firearms that Washington now deems "assault weapons" and accessories for the same.

8. I have no reason to believe that 2023 would have been materially different in terms of The Range LLC's sales without the recent enactment of Washington HB 1240.

9. The Range LLC currently has in its inventory hundreds of thousands of dollars worth of firearms and magazines that, under the new Washington law (HB 1240), are now

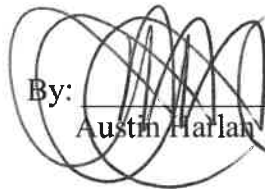
unlawful to sell in Washington, including a number of firearms on the AR platform and many AR accessories.

10. But now, under HB 1240, The Range LLC cannot lawfully sell any of these products to anyone in Washington.

11. Absent an injunction preventing Washington HB 1240 from being applied against The Range LLC's, The Range LLC will suffer irreparable harm in terms of lost business.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18 day of April, 2023.

By: 
Austin Harlan